IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1358 OF 2003
IN
SUIT NO.1294 OF 2003

Syndicate Bank ..Plaintiffs

Vs.

Vijay Enterprises and Ors ..Defendants

Mr.Hitesh Desai for the plaintiffs

None for the defendants

CORAM : S.U.KAMDAR, J
DATED : 13TH OCTOBER, 2005

P.C.:

. None appeared on the last occasion. Matter is kept today for dismissal. However, the learned counsel for the plaintiffs states that he is appearing in the present suit. Suit is filed by the Advocate for the recovery of sum of Rs.6,54,045/-. Claim is made in respect of property being Shop No.20, Shri Yogeshwar Co-operative Housing Society Ltd., Ground Floor, Avantikabai Gokhale Street, Opera House, Bombay 400 004 which is the property mortgaged by the

defendants. At the ad interim stage defendant was present in person. Ad interim order is granted in terms of prayer clause (b). Defendants have not filed Vakalatnama though appearing in person. On the last occasion, matter was adjourned. However, none appeared for the defendants today also. In that view of the matter, ad interim order is confirmed. Motion is made absolute in terms of prayer clause (b). The learned counsel for the plaintiffs undertakes to file affidavit of service within one week from today. Motion disposed of accordingly. No order as to costs.